

App No ²⁴⁴⁸⁹
~~34774~~

VOLUNTARY AGREEMENT

Made this 13 day of November, 1996 by and between

DISTRICT OF COLUMBIA JEWISH COMMUNITY CENTER, INC.
1529 16th Street, NW
Washington, DC
("Applicant")

AND

DONALD J. JACKSON, COMMISSIONER, ANC 2B04
1525 Que Street, N.W. #2
Washington, D.C.
("Protestant")

WHEREAS, Applicant's application for a Retailers Class 'DR' License (No. 34774) is pending before the District of Columbia Alcoholic Beverage Control Board ("Board"); and

WHEREAS, the premises 1529 16th Street, N.W. are within the jurisdictional boundaries of Protestant's Single Member District (04) of Advisory Neighborhood Commission 2B (ANC2B), and

WHEREAS, Donald J. Jackson is the Commissioner for the Single Member District 04 of Advisory Neighborhood Commission 2B; and

WHEREAS, Donald J. Jackson is recognized by the Board as Protestant in said case, and

WHEREAS, Applicant and Protestant mutually desire to resolve said protest:

NOW THEREFORE, in consideration of the mutual covenants and promises set forth below, and subject to the approval of this Agreement by the Board, the parties agree as follows:

- 1) From the date of adoption of this agreement by the Board and throughout the term thereof, Applicant agrees that all alcohol and food sales will be inside the building.
- 2) From the date of adoption of this agreement by the Board and throughout the term thereof, applicant's primary venue for these sales will be theater events, gallery openings, and catered events. Alcohol will also be served in the cafe but is expected to be a lesser amount due to the character of the menu.
- 3) From the date of adoption of this agreement by the Board and throughout the term thereof, applicant will endeavor to provide off-street/off-site parking and provide valet parking services for evening events at the center.

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4) From the date of adoption of this agreement by the Board and throughout the term thereof, applicant will contract with a pest control company to eliminate rodents from the premises, and will periodically bait the alley to prevent rodent harborage. Applicant will dispose of all trash or garbage in Department of Public Works approved containers that are kept closed and sealed at all times. Applicant will ensure the areas immediately around it's outside trash containers are clean and free of debris and trash. Applicant will make it's best effort to keep the area in front of it's premises clear and free of trash and debris as required by D C. Law.

5) In consideration of, and reliance upon, the foregoing commitments, and with the understanding that the stated conditions will be made part of Applicant's license, Protestant hereby agrees to withdraw his protest to Applicant's ABC Application Number 34774, support issuance of the license, and recommend support by the full commission of ANC 2B.

6) The Applicant acknowledges that any failure to adhere to the foregoing commitments will constitute grounds for Protestant to petition the Board for revocation of Applicant's ABC license following a Show Cause Hearing pursuant to 23 DCMR 1513.5 or for Protestant to petition the Board to impose any applicable fines for violation of this Agreement, in order to gain Applicant's compliance with this Agreement. Protestant agrees to notify Applicant in writing of any alleged violations of this Agreement and shall afford Applicant fourteen (14) calendar days to correct, or to begin to correct the violation prior to notifying the Board.

7) This Agreement shall not preclude Protestant from exercising any other rights under the ABC statute or regulations, nor from challenging Applicant's compliance with any other District of Columbia laws or regulations not covered by this Agreement.

IN WITNESS WHEREOF, The parties have affixed hereunto their signatures.

for District of Columbia Jewish Community Center, Inc.
Applicant

Donald J. Jackson, Commissioner ANC 2B04
Protestant

<u>Donald J. Jackson</u> (signature)	<u>Donald J. Jackson</u> (print name)	<u>11/13/96</u> (date)
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